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*Rotunda Residue*

**PENNSYLVANIA SOCIETY OF COLONIAL GOVERNORS**

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**SIR GEORGE YEARDLEY**

**AND**

**HIS VOYAGE OF 1609-1610 TO VIRGINIA**

**IN THE**

**SEA ADVENTURE AND DELIVERANCE**

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**GOVERNOR OF VIRGINIA 1619-1621 1626-1627**



**NOTES OF AN ORAL ADDRESS**

**BY**

**JOSEPH I. DORAN**

**BEFORE THE COUNCIL OF THE SOCIETY**

**APRIL 6th, 1914**

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# Sir George Yeardley and his Voyage of 1609-1610 to Virginia

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*Joseph I. Doran*

The story of Sir George Yeardley's career gives an extensive insight into the history of England during the period in which he lived. The relations of that country to the Netherlands and to Spain, the daring and skill required to confront the perils incident to the navigation of the seas, the hostile attitude of Spain towards other nations attempting to establish colonies in or to trade with America, and the heroic and persistent efforts to plant English colonies in the New World with the fundamental principles of English thought and English principles of government are all brought into full view in any account of Sir George Yeardley.

The men of those times were of the era that gave us Shakespeare, Sir Francis Drake, Sir Walter Raleigh and the others of those days who have left the impress of their thoughts and actions upon the Anglo-Saxon race.\*

Sir George Yeardley was born between 1577 and 1580.

He was the son of Raph Yardley, of Bionshaw Lane, London, who married, first, May 15, 1575, Agnes Abbot;

\* Brown's *Genesis of the United States*, Vol. II, page 1065.

she died December 18, 1576, and he married, secondly, Rhoda ———. He had four sons, Raphe, George, John and Thomas, and a daughter, Anne, who married Edward Irby.\*

Sir George Yeardley was first cousin to Richard Yerwood, one of the stepfathers of John Harvard, the founder of Harvard College, Massachusetts.\*

He was "a soldier truly bred in that university of Warre, the Lowe Countries." At the age of 29 or 32 he sailed in June, 1609, on his first voyage to Virginia in the ship "Sea Adventure," one of the fleet of nine vessels under Sir George Somers. On that voyage he accompanied Sir Thomas Gates as "Captain of Sir Thomas Gates his company."\*

The company, under the command of Captain Yeardley, was Sir Thomas Gates' own company, which he brought from the Netherlands under the command of his Lieut. Capt. George Yeardley.†

"In his younger days, a soldier by profession, he had, like his contemporaries in the Virginia government, Sir Thomas Gates and Sir Thomas Dale, fought with distinction in the low countries."‡

The fleet, which consisted of the "Sea Adventure" and eight other ships, set sail from England for Virginia in June, 1609, "with the better part of 500 people—men, women and children"—and his fleet was the first fleet set out under the first Company charter.§

Brown says, the fleet sailed from Falmouth, England, on the 18th of June. In the letter of Captain Gabrill Archer, in *Travels and Works of Captain John Smith*, Vol. I, xciv, it is stated that the fleet sailed from Falmouth on the 8th day of June. Fiske says that the fleet set sail

\* Brown's *Genesis*, Vol. II, page 1065.

† Brown's *First Republic*, page 127.

‡ Farrar Papers, *Virginia Historical Magazine*, Vol. 10, page 283.

§ Brown's *First Republic*, pages 92, 93, 97; *Travels and Works of Captain John Smith*, Vol. I, xciv-xcvi; John Fiske, *Old Virginia and Her Neighbors*, Vol. I, page 148.

on June 1st, but he does not say from what port. He, no doubt, had in mind Plymouth, where the fleet had been before it was compelled by adverse winds to stop at Falmouth.

The "Sea Adventure" was the Admiral vessel of the fleet. In the "Sea Adventure" were Sir Thomas Gates, Sir George Somers, Captain Newport, "Captain George Yeardley, who commandeth the Lieut. General's Company," and all other chief officers, and from 150 to 180 emigrants.¶

On March 5th, 1609, Zuniga, the Spanish Ambassador at London, wrote the King of Spain advising him of the preparation of this fleet for Virginia and that it would sail within a month, or a month and a half; and he urged "Your Majesty will demand that they should be destroyed."\*

When you read in Zuniga's letter of October 16th, 1607, to the King of Spain with regard to the English colonization of Virginia:

"It will be serving God and your Majesty to drive these villains out from there, hanging them in time which is short enough for the purpose."†

And that in his letter to the King of Spain of March 28th, 1608, about plans to send more English people to Virginia "on which account it seems to me necessary to intercept them on the way."‡

It is readily understood what he meant by "they should be destroyed," in his letter of March 5th, 1609.

While those who sailed in this fleet could not have known of the correspondence between Zuniga and the King of Spain, they did know of the hostile and menacing attitude of Spain toward other nations in efforts to make colonial settlements in the New World, or to trade in any part of the New World, and toward the vessels of other nations going to Spanish or other settlements in the New World.

¶ Brown's *First Republic*, pages 92, 97, 131; *Travels and Works of Captain John Smith*, Vol. I, xcvi.

\* Brown's *Genesis*, pages 243, 245.

† *Ibid.*, page 124.

‡ *Ibid.*, page 147.



They knew that the terrible Spaniard Menendez had in September, 1565, butchered the whole company of Huguenots—men, women and children—about 700 in all, who had established an innocent settlement at the mouth of the St. John's River, in Florida. §

They also knew that in November, 1606, Captain Chalmers, who had sailed from Plymouth in August, 1606, in his ship "The Richard of Plymouth," to trade and obtain a footing in Virginia, had been taken, with his vessel, cargo, and crew, by the Spaniards in the West Indies, and that the crew that had not escaped from Spain had been sent to the galleys.\*

Bruce tells us:

"The site of Jamestown was chosen principally because it offered many advantages in resisting an assault, should one be made; and the determination to maintain a fort at Point Comfort, which, as we have seen, continued so long, had its origin in the impression that a fortification on this spot would, by commanding the channel, bar the further progress up the river of any hostile vessel seeking to pass. It was for many years confidently expected that such a fortification here would insure the absolute security of the plantations lying above. Before the fort was finished, it was the Spanish nation that the people dreaded the most, for it was well-known to all that that nation, claiming the whole of Virginia, had in menacing language protested against its colonization by the English. Apprehension lurked in the first settlers' minds lest the horrible massacre by which a Spanish army had destroyed the Huguenots seated at Fort Caroline in Florida should be repeated at any hour on the banks of the Powhatan. On several occasions, alarm was raised at Jamestown that Spanish ships were actually coming up the river; and, indeed, during those early years, the first sight of a sail glimmering remotely on the bosom of the stream as it expanded towards the South caused exclam-

§ John Fiske, *Old Virginia and Her Neighbors*, Vol. I, page 18; Article "Florida," *Encyclopædia Britannica*, 11th Ed., Vol. 10, page 544.

\* Brown's *Genesis*, pages 64, 95-101, 121, 122, 127, 131-134, 137, 148, 183, 758, 830.

ations of doubt, suspicion, and fear among the spectators. Every man was ready to spring to arms, should it be announced from a lookout that a Spanish vessel was really approaching."†

Those in command of and all others in the first fleet of nine vessels sent out in June, 1609, under the first company charter knew well that they were liable to a hostile attack from the Spaniards, and they also well knew what their fates would be should they be unable to defend themselves against any such attack from the Spaniards either on the high seas or at Jamestown.

"In the beginning of the seventeenth century it was not likely that a single man-of-war would be found even a hundred leagues from the coasts of the British Islands. The vessels, half-merchantman, half-privateer, which were the terror of the Spanish authorities in the American seas, never thought of asking for the protection of the navy. They were perfectly well able to take care of themselves. The only question, therefore, which the English Government had to consider was, whether they should continue the war in Europe in order to force the King of Spain to recognize the right of these adventurers to trade within certain limits, or whether the war was from henceforth to be carried on in one hemisphere alone. If Spain insisted that there should be no peace beyond the line (*i. e.*, the line beyond which all lands had been given by the Pope to the King of Spain), it would be better to leave her to reap the fruits of a policy which before long would give birth to the buccaneers."\*

The merchantman was a more or less armed vessel prepared alike for aggression or defense. Ships sailed in fleets, one or more of their masters being appointed admirals, to be obeyed by all the company. In time of special maritime disturbance an armed fleet convoyed the merchantmen.‡

† Bruce's *Institutional History of Virginia, Seventeenth Century*, Vol. 2, pages 190, 191.

\* Gardiner's *History of England (1603-1607)*, Vol. I, page 212.

‡ *Encyclopædia Britannica*, 11th Ed., Article "Shipping," Vol. 24, pages 983, 984, Article "Convoy," Vol. 7, page 68.

The colony was established under the business management of Sir Thomas Smythe and other leading men of affairs of that day, who were then spreading the power of the Anglo-Saxon to the uttermost parts of the known world. The necessary means for carrying on the enterprise were contributed by "a greater union of Nobles and Commons than ever conferred in the Kingdom to such an undertaking;" the voyages were under the command of old sailors who had learned the Atlantic in the days of Elizabeth; the colony was under the government of old soldiers trained up in the Netherlands; and the planters were largely of the restless, pushing material of which the pathfinders of the world have ever been made.\*

The fleet followed the usual ocean route of those days from Europe to Virginia, first running south by the Azores to the Canary Islands and thence from the Canaries west with the trade winds across the ocean to the West Indies.†

"It is the same route by which the same vessels under competent commanders would now sail."‡

"Later vessels came directly across the ocean to New England without following this southern track. It took about the same time to cross on the northern route."§

The Sea Adventure, the Admiral vessel of the fleet, was of 200 tons.¶

And it must have been the largest vessel in the fleet, as it carried all the chief officers and from 150 to 180 emigrants, while the entire fleet of nine vessels did not carry more than 500 persons, the average for each of the nine vessels being about 55 persons.

\* Brown's *First Republic in America*, Preface, page xix.

† *Travels and Works of Captain John Smith*, Vol. I, page xciv; V, 90: Brown's *First Republic*, pages 21, 22, 23, 24; Clark's *Virginia, Colonial Churches*, page 15; *History of North America*, Peter Joseph Hamilton, page 47; John Fiske's *Old Virginia and Her Neighbors*, Vol. I, page 91; *History of All Nations*, Fiske's *Colonisation of the New World*, Lea Bros. & Co., Vol. 21, pages 245, 246; *Sir Walter Raleigh and his Colony in America*, Tarbox, 109.

‡ Brown's *First Republic*, page 24.

§ *Sir Walter Raleigh and his Colony in America*, Tarbox, Note 76, page 109.

¶ Brown's *Genesis*, Vol. I, page 520.

In Brown's *First Republic*, he gives the names of 115 ships making voyages to and from the colonies. Of these 115 ships he gives the tonnage of 46, the average tonnage of which is 121 tons.

In the *Records of the Virginia Company*, Vol. I, page 351, there is a note of the shipping, men and provisions sent to Virginia by the Treasurer of the Company or by some adventurers during the year 1619. In this note are the names and tonnages of 10 ships, the average tonnage of which is 194 tons. These 10 ships carried 961 persons.

The nominal strength of the Spanish Armada was 132 vessels of 59,100 tons, the largest of which was 1300 tons. There were 30 under 100 tons. The average tonnage of each was less than 450 tons. The total tonnage of all was less than 8000 tons in excess of that of the Imperator of to-day of 52,000 tons, and less than 2000 tons in excess of the Vaterland of to-day of 58,000 tons. The English fleet meeting the Armada consisted of 197 vessels, the majority of which were very small and of which 34, less than 20%, belonged to the Royal Navy, and of which armed merchant ships practically made up the remainder of more than 80%.\*

Froude, referring to the English fleet which met the Spanish Armada, says:

"The largest ship in England at this time belonging to a private owner did not exceed 400 tons, and of vessels of that size there were not more than two or three sailing from any port in the country. The armed crusiers which had won so distinguished a name in both hemispheres were of the dimensions of the present schooner yachts in the Cowes squadron."†

On the other hand, ships sailing from Virginia to the West Indies had a hard time in beating their way against wind and current, so that the route to England from the

\* Article "Ship," *Encyclopædia Britannica*, 11th Ed., Vol. XXIV, page 866; Article "Armada," *Encyclopædia Britannica*, 11th Ed., Vol. II, page 560.

† Froude's *History of England*, Chap. XXXVI, Vol. 12, Am. Ed. 1873, page 449.

English settlements in America must have been by the Gulf Stream.‡

The Gulf Stream was the route of Spanish fleets on their return from the Indies to the Kingdoms of Castile, and the fleets of Spain were constantly sailing from her American possessions via the Gulf Stream off the coast of Virginia.§

On the map opposite page 86, Vol. 1st, of Johnson's *Swedish Settlement on the Delaware*, entitled "Swedish Colonies 1638-1663, and Routes from Sweden to New Sweden, 1637-1656," the ocean route from Sweden is shown via the Azores or the Canary Islands to the Barbadoes or Antigua, thence to Cape May, and the ocean route from Cape May is shown to the Azores, thence to Sweden, *i. e.*, via the Gulf Stream.

The name of "Gulf Stream" was first suggested by Benjamin Franklin, and he published the first chart of the Gulf Stream.

"The whalers of New England were the first to gain a fairly accurate knowledge of the limits of the stream between Europe and America by following the haunts of the whales, which were found north of one line and south of another, but never between the two.

"Benjamin Franklin heard of their experiences, and also how the coasting vessels from Boston to Charleston, South Carolina, would take sometimes three or four weeks to make the voyage south, while the return trip would often be made in a week. Then his attention was drawn to the fact that English packets with American mails were two or three weeks longer on the voyage to America than American merchant ships.

"Franklin investigated the question and published a chart in 1770 for the benefit of the mail packets, but its information was discredited by the English, and before it came to be generally known and used, the War of the Revolution was on, and Franklin, knowing the advantage of the knowledge of the limits of the stream would be to British

‡ Brown's *First Republic*, 110, 111, 112.

§ *Ibid.*, 87, 111, 154.

naval officers, suppressed it all he could until hostilities ceased.

"The name of 'Gulf Stream' was first suggested by Benjamin Franklin because it issues from the Gulf of Mexico. While it is only a part of the grand scheme of ocean circulation, and the Gulf of Mexico is in reality only a stopping place, as it were, for its waters, this name is generally applied to the current now as it was given by Franklin—that is, the current coming from the Gulf of Mexico and spreading abroad over the North Atlantic."

See article "The Gulf Stream," by John Elliott Pillsbury, U. S. N., *National Geographic Magazine*, August, 1912, Vol. 23, pages 767-778 and "Outline Map showing general direction of the Gulf Stream and other currents in the North Atlantic Ocean," on page 772.\*

The Sea Adventure in that voyage was, toward the end of July, 1609, "Wrecked on the Bermudas in the storm which gave Shakespeare the basis of his 'Tempest,' and for ten months the shipwrecked crews and passengers were detained on the Island." The survivors having succeeded in constructing two seaworthy craft which they called the "Deliverance" and the "Patience," sailed for Virginia in May, 1610.

Yeardley, on the Deliverance, arrived at Jamestown on June 2d, 1610 (N. S.).†

At the time of the wreck of the Sea Adventure the Bermudas were uninhabited, and one of the interesting results of the wreck was the practical discovery and the annexation to the crown of England of the Bermudas.‡

"The company sent out promptly enough in 1609 an expedition of nine ships and five hundred people under Sir George Somers and Sir Thomas Gates, with Newport

\* Chart of the Atlantic Ocean, exhibiting the course of the Gulf Stream, etc., *Posthumous Works of Franklin*, London, 1819, Vol. II, pages 476-477; Maury's *Physical Geography of the Sea*, 1st Ed., 1855, pages 59-64.

† Hotten's *Lists*, page 222; Farrar Papers, *Virginia Historical Magazine*, Vol. X, page 283; "The Tempest"—*The Variorum Shakespeare*—Furness, page 308, &c.

‡ *History of North America*, Vol. III, by Peter Joseph Hamilton, pages 53, 73, 74; *Old Virginia and Her Neighbors*, Fiske, Vol. I, pages 148-155; *Encyclopædia Britannica*, 11th Ed., "Bermudas," Vol. III, page 793.

in charge of the fleet. Unfortunately, this was dispersed by the tempest, and the *Sea Adventure*, bearing the new rulers, was wrecked in the Bermudas; and as none of those who actually arrived in Virginia had a commission to succeed Smith, things drifted along with no legal head. An interesting, if incidental, result of the wreck was the discovery and practical annexation of the Bermudas to the crown of England. They were henceforward long known as Somers Islands, and sometimes by mistake spelled 'Summer' Islands. The English found there hogs running wild, and thus subsisted despite the loss of so much, and managed finally to construct out of the wreckage two vessels that brought them safely to Virginia. This storm was the origin of Shakespeare's play *The Tempest*, performed a year or so after; for although the plot is Italian, Ariel and Caliban are fair samples of what the mariners of that day expected to find in unknown islands like 'the still vexed Bermoothes.' In fact, Caliban is about what the Caribs were pictured, for from that tropical region the name was taken, while the god Setebos comes from Patagonia.

"Captain John Smith had returned to England, and Captain George Percy was the president of the Council and in general command when Gates and Somers arrived in Virginia on June 2nd, 1610 (N. S.), the first anniversary of the signing of the charter under which they had come to act. Sir Thomas Gates, with a copy of the charter and his commission, went to the church, and by ringing the bell assembled the planters. The minister, the Rev. Richard Buck, offered a prayer; and after service Secretary William Strachey read the new commission, whereupon Percy surrendered the old one, the charter, and the seal. There were sixty old inhabitants present and one hundred and thirty-five new ones, among them non-conformists as well as members of the Church of England, including Stephen Hopkins; afterward one of the Pilgrim Fathers. The soldiers on guard were a company of veterans trained in the Netherlands, for Gates had certainly served under Maurice of Nassau and may

have done so under his father, William the Silent, and was even at this time still in the service of the States General, and only lent or furloughed by them for this enterprise on the special request of King James. He assumed active charge, erected Forts Henry and Charles in honor of the two princes, at the mouth of the river, and proceeded to make laws suited to the circumstances, setting them up on posts in the church.”\*

“On the first of June, 1609, the fleet set sail and took the route by the Azores. Toward the end of July, as they were getting within a week’s sail of the American coast, the ships were ‘caught in the tail of a hurricane,’ one of them was sunk, and the *Sea Venture* was separated from all the rest. That gallant ship was sorely shaken and torn, so that for five days the crew toiled steadily in relays, pumping and bailing, while the water seemed to be gaining upon them. Many of the passengers abandoned themselves to despair and to rum, or, as an eye-witness tells us, ‘some of them, having good and comfortable waters in the ship, fetched them and drank one to the other, taking their last leave one of the other until their more joyful and happy meeting in a more blessed world’ (Plain Description of the Bermudas, page 10; *apud* Force, vol. iii.). The company were saved by the skill and energy of the veteran Somers, who for three days and nights never once left the quarter-deck. At length land was sighted, and presently the *Sea Venture* was driven violently aground and wedged immovable between two rocks, a shattered wreck. But all her people, a hundred and fifty or so, were saved, and most of their gear was brought away.

“The island on which they were wrecked was one of a group the early history of which is shrouded in strange mystery. If my own solution of an obscure problem is to be trusted, these islands had once a fierce cannibal population, whose first white visitors, Vincent Pinzon and Americus Vesputius, landed among them on St. Bernard’s day

\* *History of North America*, Vol. III, pages 73-74, by Peter Joseph Hamilton.



in August, 1498, and carried off more than 200 slaves (See my *Discovery of America*, ii. 59). Hence the place was called St. Bernard's archipelago, but on crudely glimmering maps went wide astray and soon lost its identity. In 1522 a Spanish captain, Juan Bermudez, happened to land there and his name has remained. But in the intervening years Spanish slave-hunters from San Domingo had infested those islands and reaped and gleaned the harvest of heathen flesh till no more was to be had. The ruthless cannibals were extirpated by the more ruthless seekers for gold, and when Bermudez stopped there he found no human inhabitants, but only swine running wild, a sure witness to the recent presence of Europeans. Then for nearly a century the unvisited spot was haunted by the echoes of a frightful past, wild traditions of ghoulish orgies and infernal strife. But the kidnapper's work in which these vague notions originated was so soon forgotten that when the *Sea Venture* was wrecked those islands were believed to have been from time immemorial uninhabited. Sailors shunned them as a scene of abominable sorceries, and called them the Isles of Demons. Otherwise they were known simply by the Spanish skipper's name as the Bermoothes, afterward more completely anglicized into Bermudas. From the soil of those foul goblin legends, that shuddering reminiscence of inexpiable crime, the potent sorcery of genius has reared one of the most exquisitely beautiful, ethereally delicate works of human fancy that the world has ever seen. The wreck of the *Sea Venture* suggested to Shakespeare many hints for the *Tempest*, which was written within the next two years and performed before the King in 1611. It is not that these islands were conceived as the scene of the comedy; the command to Ariel to go and "fetch dew from the still-vexed Bermoothes" seems enough to show that Prospero's enchanted isle was elsewhere, doubtless in some fairy universe hard by the Mediterranean. But from the general conception of monsters of the isle down to such incidents as the flashing light on the shrouds of

the ship, it is clear that Shakespeare made use of Strachey's narrative of the wreck of the *Sea Venture*, published in 1610.

"Gates and Somers found the Isles of Demons far pleasanter than their reputation, and it was well for them that it was so, for they were obliged to stay there nearly ten months, while with timber freshly cut and with bolts and beams from the wreck the party built two pinnaces which they named *Patience* and *Deliverance*. They laid in ample stores of salted pork and fish, traversed the 700 miles of ocean in a fortnight, and arrived at Jamestown on the 10th of May, 1610. The spectacle that greeted them was enough to have appalled the stoutest heart. To explain it in a few words, we must go back to August, 1609, when the seven ships that had weathered the storm arrived in Virginia and landed their 300 or more passengers, known in history as the Third Supply.

"Since the new dignitaries and all their official documents were in the Bermuda wreck, there was no one among the new-comers in Virginia competent to succeed Smith in the government, but the mischief-makers, Ratcliffe and Archer, were unfortunately among them, and the former instantly called upon Smith to abdicate in his favor. He had persuaded many of the newcomers to support him, but the old settlers were loyal to Smith, and there was much confusion until the latter arrested Ratcliffe as a disturber of the peace. The quality of the new emigration was far inferior to the older. The older settlers were mostly gentlemen of character; of the new ones far too many were shiftless vagabonds, or, as Smith says, 'unruly gallants, packed thither by their friends to escape ill destinies.' They were sure to make trouble, but for a while Smith held them in check. The end of his stay in Virginia, was, however, approaching. He was determined to find some better site for a colony than the low marshy Jamestown; so in September he sailed up to the Indian village called Powhatan and bought of the natives a tract of land in that neighborhood near to

where Richmond now stands,—a range of hills, salubrious and defensible, with so fair a landscape that Smith called the place Nonesuch. On the way back to Jamestown a bag of gunpowder in his boat exploded and wounded him so badly that he was completely disabled. The case demanded such surgery as Virginia could not furnish, and as the ships were sailing for England early in October he went in one of them. He seems also to have welcomed this opportunity of answering sundry charges brought against him by the Ratcliffe faction. Some flying squirrels were sent home to amuse King James (Neill's *Virginia Company*, page 32).

"The arrival of the ships in England with news of the disappearance of the *Sea Venture* and the danger of anarchy in Virginia alarmed Lord Delaware, and he resolved to go as soon as possible and take command of his colony. About the first of April he set sail with about 150 persons, mostly mechanics. He had need to make all haste. Jamestown had become a pandemonium. Smith left George Percy in command, but that excellent gentleman was in poor health and unable to exert much authority. There were now 500 mouths to be filled, and the stores of food diminished with portentous rapidity. The 'unruly gallants' got into trouble with the Indians, who soon responded after their manner. They slaughtered the settlers' hogs for their own benefit, and they murdered the settlers themselves when opportunity was offered. The worthless Ratcliffe and thirty of his men were slain at one fell swoop while they were at the Paumunkey village, trading with The Powhatan (See Spelman's account of the affair, in *Smith's Works*, pp. cii-cv.). As the frosts and snows came more shelter was needed than the cabins already built could furnish. Many died of the cold. The approach of Spring saw the last supplies of food consumed, and famine began to claim its victims. Soon there came to be more houses than occupants, and as fast as one was emptied by death it was torn down for firewood. Even palisades were stripped from their framework and

thrown into the blaze, for cold was a nearer foe than the red men. The latter watched the course of events with savage glee, and now and then, lurking in the neighborhood, shot flights of arrows tipped with death. A gang of men stole one of the pinnaces, armed her heavily, and ran out to sea, to help themselves by piracy. After the last basket of corn had been devoured, people lived for a while on roots and herbs, after which they had recourse to cannibalism. The corpse of a slain Indian was boiled and eaten. Then the starving company began cooking their own dead. One man killed his wife and salted her, and had eaten a considerable part of her body before he was found out. This was too much for people to endure; the man was tied to a stake and burned alive. Such were the goings on in that awful time to which men long afterward alluded as the Starving Time. No wonder that one poor wretch, crazed with agony, cast his Bible into the fire, crying 'Alas, there is no God.'

"When Smith left the colony in October, it numbered about 500 souls. When Gates and Somers and Newport arrived from the Bermudas in May, they found a haggard remnant of 60 all told, men, women, and children scarcely able to totter about the ruined village, and with the gleam of madness in their eyes. The pinnaces brought food for their relief, but with things in such a state there was no use in trying to get through the Summer. The provisions in store would not last a month. The three brave captains consulted together and decided with tears in their eyes, that Virginia must be abandoned. Since Raleigh first began, every attempt had ended in miserable failure, and this last calamity was the most crushing of all. What hope could there be that North America would ever be colonized? What men could endure more than had been endured already? It was decided to go up to the Newfoundland fishing stations and get fish there, and then cross to England. On Thursday the 7th of June, 1610, to the funereal roll of drums,

the cabins were stripped of such things as could be carried away, and the doleful company went aboard the pinnaces, weighed anchor, and started down the river. As the arching trees at Jamestown receded from the view and the sombre silence of the forest settled over the deserted spot, it seemed indeed that "earth's paradise," Virginia, the object of so much longing, the scene of so much fruitless striving, was at last abandoned to its native Indians. But it had been otherwise decreed. That night a halt was made at Mulberry Island, and next morning the voyage was resumed. Toward noonday, as the little ships were speeding their way down the ever widening river, a black speck was seen far below on the broad waters of Hampton Roads, and every eye was strained. It was no red man's canoe. It was a longboat. Yes, Heaven be praised! the governor's own longboat with a message. His three well-stocked ships had passed Point Comfort, and he himself was with them!

"Despair gave place to exultant hope, words of gratitude and congratulations were exchanged, and the prows were turned up-stream. On Sunday the three staunch captains stood with their followers drawn up in military array before the dismantled ruins of Jamestown, while Lord Delaware stepped from his boat, and, falling upon his knees on the shore, lifted his hands in prayer, thanking God that he had come in time to save Virginia."\*

Here the question naturally may be asked why, if peace existed between England and Spain under the Treaty of 1604-1605, should Spain desire to intercept English ships and hang their crews and passengers or send them to the galleys, and barbarously to destroy actual English settlements and settlers in efforts to plant and maintain English settlements in the New World, and why should the ships of England carrying settlers to Virginia follow an ocean route along the coast of Spain and beyond to the Canaries and thence to the West Indies, when such route would throw them in the path of and almost inevitably

\* John Fiske, *Old Virginia and Her Neighbors*, Vol. I, pages 148-155.

bring them in conflict with the Spaniards; why did not English ships for Virginia sail straight across the ocean to Virginia and avoid the long and circuitous route and a route crossing the ocean some 1200 miles south of a straight and direct line from England to Virginia, and also thus avoid to some extent the danger of conflicts with the ships of hostile Spain?

Replying to the last question first:

We have already shown that later vessels came directly across the ocean to New England without following the Southern route, but that it took about the same time to cross on the Northern as it did on the Southern route.

These small vessels of that day sailing to cross the Atlantic to America, overcrowded as they were with men, women and children and without capacity to carry sufficient fresh water and supplies for a long and dangerous voyage, were compelled to take the Southern route by way of the Azores or the Canaries, at a risk of possible hostile attacks from the Spaniards. The Southern route afforded frequent stops the Northern route did not afford, so by taking the Southern route these small vessels were enabled to obtain fresh water and supplies and make necessary repairs.

We now will take up the question why, if peace existed between England and Spain under the Treaty of 1604-1605, Spain should desire to intercept English ships and hang their crews and passengers or send them to the galleys, and barbarously to destroy actual English settlements and settlers in efforts to plant and maintain English settlements in the New World?

It is true that during the war between England and Spain from 1585 to the Treaty of Peace of 1604-1605 between the two countries, the attempt of the English people to colonize parts of the New World was suspended. The threatened invasion of England by Spain and the portentous preparations of Spain with that purpose demanded the ships and men should be kept at home. Ships were seized by the government. "While by night and day the

music of adze and hammer was heard in English ship-yards."\*

It is, therefore, also true of the Treaty of Peace of 1604-5 that "It was the peace which made possible the permanent settlement of the English across the Atlantic battleground in the far distant land of Virginia."†

The Atlantic and the New World were still to remain the battleground in the efforts of the English people to establish a permanent foothold in America. The Treaty of Peace of 1604-5 was not, and was not when it was concluded, intended to be a treaty of peace adjusting the respective hostile claims of England and Spain prior to that war and since to sovereignty, to possessions, or to trade in the New World. That treaty might bring peace to England and Spain in Europe, but it left and continued the state of war between England and Spain that had previously existed in the New World.

When that treaty of peace was being negotiated England would not acknowledge even in the most indirect way that their trade with the Indies was illegal or that they had no right to make settlement in the New World where Spain had no established settlement. Spain denied the right of England and of every nation other than Spain to establish settlement in any part of the New World, although Spain might have had no possession of the territory, or had even no knowledge of it.

"The Treaty allowed trade only to places where trade had been carried on before the war: *in quibus ante bellum fuit commercium*. The saying 'Peace in Europe, War beyond the Line' appeared to have been based on this treaty."‡

Motley, in his *History of the Netherlands*, Vol. IV, Chapter XLIV, tells us:

"In the summer of 1604 King James made a treaty of peace and amity with the archdukes and with the monarch

\* John Fiske, *Old Virginia and Her Neighbors*, Vol. I, pages 34-35; *History of North America*, Vol. III, page 52, by Peter Joseph Hamilton.

† Brown's *First Republic in America*, page 3.

‡ Sir Walter Raleigh's *Search for Eldorado*, by N. Darnell Davis, C.M.G.; *Blackwood's Magazine*, December, 1913, page 776.

of Spain, thus extending his friendly relations with the doomed house of Austria. The republic of the Netherlands was left to fight her battles alone; her imaginary allies looking down upon her struggle with benevolent indifference. As for the Indies, not a syllable of allusion in the treaty was permitted by Spain to that sacred subject; the ambassador informing the British Government that he gave them access to twelve kingdoms and two seas, while Spain acquired by the treaty access only to two kingdoms and one sea. (Meteren, 500.) The new world, however, east or west, from the Antilles to the Moluccas, was the private and indefeasible property of his Catholic Majesty."

"The first act of his pusillanimous hand had been to throw away all for which they had striven so long. From the first, under the flag of old John Hawkins, the seamen had fought for the oceanic trade, and when we examine the peace which James hastened to make, we find that so far as the oceanic trade is concerned there is nothing but the *status quo ante*. The Indies are not so much as mentioned. The burning question, which had been the main cause of so much bloodshed and suffering, was left to rest on a vague declaration that the old commercial treaties between England and the House of Burgundy were still valid. It was on these very treaties that John Hawkins had been first sent out by the London merchants to assert their right to trade with Philip's colonies, and the answer had been to treat him as a pirate. Since then a whole generation had passed. For more than thirty years blood and treasure had been poured out upon the sea to open the gates of the new world, which the blighting hands of Spain kept sullenly locked, and so far as the new treaty went not an inch had been gained. It gave no more than the right to trade with all "Kingdoms, Dominions, and Islands" of the King of Spain to which before the war there was commerce according to the ancient treaties. It was exactly where Hawkins had started. There was a further clause, it is true, which might be construed as throwing open the Indies. It provided that no party to the treaty would exclude the vessels



of any other party from any port in his "kingdoms and dominions," on customary dues being paid. But it was on an exactly similar provision that Hawkins had claimed the right to trade on the Spanish Main, and had been refused. The treaty settled nothing. The old quarrel stood precisely where it began. (Rymer, page 579.)"\*

Spain claimed the entire territory on the American coast by virtue of the discovery Columbus made in his voyage of 1492, and the grant made by Pope Alexander VI in 1493 of "all the firm lands and islands found or to be found, discovered or to be discovered, west and south, drawing a line from the Pole Arctic to the Pole Antarctic \* \* \* such as have not actually been heretofore possessed by any other Christian king or prince," *i. e.* west of the line as finally fixed by the Treaty of Tordesellas in 1494, corresponding with the 50th degree of longitude west of Greenwich, and thenceforth from the date of that donation of Pope Alexander VI Spain not only claimed the right, but by force and arms attempted to exclude all other people from trade or settlement beyond the line to be west.

England asserted that while Columbus discovered some of the islands of the West Indies, John Cabot and Sebastian, his son, in their voyages beginning with that of 1497 traced nearly the whole coast of America and made the first discovery thereof.

"They could not acknowledge the Spanish right to all that country, either by donation from the Pope or from having touched here and there upon those coasts, built cottages and given names to a few places; that this, by the law of nations, could not hinder other princes from fully navigating those seas and transporting colonies to those parts where Spaniards do not inhabit; that prescription without possession availeth nothing."†

England also insisted on the right to trade with all Spanish possessions in or out of Europe by reason of their

\* Corbett's *Successors of Drake*, pages 403, 404.

† Brown's *Genesis*, pages 9 and 10; John Fiske, *Old Virginia and Her Neighbors*, Vol. I, page 30.

treaty of peace and amity made in the reign of Charles V. The Spaniards disputed these claims of England and maintained that there was "no peace beyond the line" that is, Pope Alexander VI line as finally fixed by the Treaty of Tordesellas.

The English retaliated by armed smuggling voyages.

"Previous to the conquest of Granada and the unification of Aragon and Castile in the persons of Ferdinand and Isabella, Spain had presented to the world little more than the spectacle of a group of weak and warring provinces. Suddenly, and as a consequence of these three events—the conquest of the Moors, the union of the throne of Aragon and Castile, and the discovery of America—Spain astonished Europe by attaining a foremost position among the nations and in the arena of diplomacy. Naturally, her chief rival was Portugal, owing to close neighborhood, and the fact of the maritime activity of the latter country. In those times, the fiction was accepted that all heathen lands unclaimed by Christian nations were by right of his office under the control of the Pope of Rome, and that he could present the title to them to any Christian power he might choose. Pope Martin V had accordingly granted to the Crown of Portugal the possession of all lands that might be discovered between Cape Bojador and the Indies going eastward.

"Immediately upon Columbus's return an ambassador was dispatched to Rome with the announcement of the new discoveries and a request that the papal authorization might be granted for their acquirement by the Spanish realm. Pope Alexander VI acceded to this demand all the more willingly because of the sovereign's triumph over the Mahomedan power in Granada and especially because in the Spaniard's message there was the suspicion of a hint that in any case he intended to hold that which had fallen into his hands by discovery.

"The result of these negotiations was the famous Bull establishing a line of demarcation on either side of which Spain and Portugal might discover and appropriate lands

*ad infinitum* so long as there remained a foot of the earth's surface which had not already fallen into the possession of some Christian power."\*

"The bull or donation of Pope Alexander VI to the Kings of Castile and Leon gave, granted and assigned 'to you, your heirs and successors all the firm lands and Islands found or to be found, discovered or to be discovered, toward the West and the South, drawing a line from the pole Arctic to the pole Antarctic (that is) from the North to the South; containing in this donation, whatsoever firm lands or Islands are found or to be found toward India or toward any other part whatsoever it be, being distant from or without the foresaid line drawn a hundred leagues toward the West and South from any of the islands which are commonly called De Los Azores and Cabo Verde. All the islands therefore and firm lands, found and to be found, discovered and to be discovered, from the said line toward the West and South, such as have not actually been heretofore possessed by any other Christian king or prince until the day of the nativity of our Lord Jesus Christ last past from the which beginneth this present year, being the year of our Lord 1493 whensoever any such shall be found by your messengers and captains.' "†

"This decree ceded to Spain the whole of the American continent with the exception of the Brazillian Coast. But Portugal was dissatisfied with the imaginary north and south line of demarcation extending through a point one hundred leagues from the Cape Verd Islands and the matter was adjusted by the treaty of Tordesillas, which was signed by the monarchs of both countries on June 7th, 1494, by virtue of which this line was drawn at a distance of three hundred and seventy leagues west of the Cape Verd Islands."‡

\* *History of North America—Discovery and Exploration* by Alfred Brittain, Vol. I, pages 243, &c.

† See the Bull or Donation set out *in extenso*, *History of North America—Discovery and Exploration*—Brittain, Vol. I, pages 244-249.

‡ *History of North America—Discovery and Exploration*—Brittain, Vol. I, page 249.

"The boundary line corresponded to the 50th degree of longitude west of Greenwich, which strikes the main land of South America about the mouth of the Amazon. Thenceforward the Spaniards claimed the right to exclude all other peoples from trade or settlement 'beyond the line.'"<sup>†</sup>

"After the accession of Queen Elizabeth and the beginning of the breach between England and Spain they were joined by English sea rovers. The English claimed the right to trade with all Spanish possessions in or out of Europe by virtue of their treaty of trade and amity made in the reign of Charles V. The Spaniards disputed this interpretation of the treaty and maintained that there was 'no peace beyond the line,' i. e. Pope Alexander's line as finally fixed by the Conference at Tordesillas. The English retaliated by armed smuggling voyages."\*

"In course of time it was found that this decision had thrown by very much the greater part of the two American continents into the share of Spain. Other nations refused, indeed, to allow the bull '*inter cætera*' gave Spain any exclusive rights. But the Spanish Government was of another opinion. It abstained, indeed, from interfering with the English settlements in New England and the French in Canada, which were poor and distant. Its own weakness forced it so far to acquiesce in what it could not prevent, but it never recognized the legitimacy of foreign settlements; and whenever any of them approached those regions where the Spanish rule was strong, they were liable to attack, even when peace prevailed in Europe. The Spaniards, in fact, recognized no peace beyond the line,—that is to say, the line of demarcation from north to south, and not, as is sometimes supposed, the equator. Hence there arose a permanent condition of lawless violence in the West Indies."<sup>†</sup>

During the Protectorate, Cromwell desired to make an alliance with Spain and negotiations to that end took place.

<sup>†</sup> Article "America," by David Hannay, *Encyclopædia Britannica*, 11th Ed., Vol. I, page 806.

\* Article "America," David Hannay *Encyclopædia Britannica*, 11 Ed., Vol. I, page 807.

<sup>†</sup> *Short History of the Royal Navy*, by David Hannay, page 280.

"But Spain was not to be influenced in the way desired by England. Before Cromwell could undertake to help the Spaniards against the French, there were two concessions he was bound to demand from them. The first was the exemption of Englishmen from the jurisdiction of the Inquisition. The second was the admission of English trade to the Spanish possessions in the New World. Pride and the blind obstinacy with which the Spaniards, to their ruin, have always clung to their most extreme pretensions, made it impossible for the King and Council of Castile to yield what Oliver demanded. It is a well-known story that when the Protector made these two concessions the price of his alliance against France, the Spanish Ambassador, Don Alonso de Cardenas, answered, 'My master has but two eyes, and you ask him for both of them.' Spain, in fact, would rather fight on in hopeless contumacious obstinacy than yield up her right to protect the purity of her faith and her pretension to retain the monopoly in the New World. Since, then, Cromwell could not obtain his ends by treaty, he prepared to extort them from Spain by force. He turned to the French alliance, and made ready for war."\*

Gardiner, in his *History of the Commonwealth and Protectorate*, Vol. III, pages 343, 345, referring to Cromwell, says:

"The commercial interests of England led him to challenge the claim of Spain, not, indeed, as has often been erroneously alleged, to refuse to Englishmen the right of trading with Spanish colonies, but to seize English ships and to maltreat English crews merely because they were found in some part or another of the Carribean Sea, even though they might be destined for some island in actual possession of an English colony. Setting aside, therefore, the religious grounds of strife, the impending conflict based itself on a conflict between two opposing principles. For England the right of possession rested on effective occupation. (The Protector had here adopted Raleigh's view. *Hist. of England, 1603-1642*, iii.,

\* Hannay's *Short History of the Royal Navy*, page 278.

39-41.) For Spain, so far as America was concerned, it rested on the arbitrament of Alexander VI. Taking his view of the position for granted, Oliver assured Venables of the righteousness of his mission. 'Either,' he argued, 'there was peace with the Spaniards in the West Indies or there was not. If peace, they had violated it, and to seek reparation was just. If we had no peace, then there was nothing acted against articles with Spain.' (Venables' Narrative, 3.) The expedition once resolved on, Oliver had no thought of limiting it to the seizure of any single port or island. He was bent on bringing under English dominion the track of the gold convoys across the Isthmus of Panama (Instructions to Venables. Burchett's Complete History of \* \* \* Transactions at Sea, 385.) This scheme was a reversion to the Elizabethan gold-hunt, as opposed to the agricultural and commercial settlements of more recent years. There was nothing strange in the adoption of such a policy. What was strange was that Oliver should have thought it possible to cut off the supplies through which alone Spain was able to save herself from bankruptcy, and yet to remain at peace with her in Europe. It is to be presumed that the long-suffering with which Philip II. had postponed hostile action, in spite of Drake's roving exploits in American waters, led him to forget that the hesitating and inactive character of that Philip was unlikely to be reproduced in his grandson; and also that his personal experience of his relations with France had convinced him of the possibility of carrying on warfare by sea without coming to a formal breach which would carry with it the opening of hostilities in a wider sphere. However this may have been, Oliver seems to have thought that he could justify an attack on the treasure-house of the world by the happy results which his action was likely to produce on the balance of power amongst the churches of Europe. In New England the great enterprise was discussed with approval, Cotton's satisfaction taking the form of a prediction that it would lead to the drying up of the river Euphrates foretold in the Apocalypse. To Captain Leverett, fresh

from service in New England, Oliver had used much the same language, adding that 'he intended not to desist till he came to the gates of Rome.' "

The Note at the foot of page 343 of Gardiner's work is as follows:

"Oliver's views on this subject are clearly set forth in the commission issued by him to the five commissioners charged with the control of the West Indian expedition. 'We have taken into our serious consideration the state and condition of the English plantations and colonies in the western parts of the world called America, and the opportunity and means which God hath betruſted us and this Commonwealth with both for ſecuring the intereſt we already have in thoſe countries which now lie open and expoſed to the will and power of the King of Spain—who claims the ſame by colour of a donation of the Pope—at any time when he ſhall have leiſure to look that way; and alſo for getting ground and gaining upon the dominions and territories of the ſaid King there; whereunto we alſo hold ourſelves obliged in juſtice to the people of theſe nations for the cruelty, wrongs and injuries done and exerciſed upon them by the Spaniards in thoſe parts. Having a reſpect likewiſe in this our undertaking to the miſerable thralldom and bondage, both ſpiritual and civil, which the natives and others in the dominions of the ſaid King in America are ſubjected to and lie under by means of the Popiſh and cruel Impoſition and otherwiſe, from which, if it ſhall pleaſe God to make us inſtrumental in any meaſure to deliver them, and upon this occaſion to make way for the bringing in the light of the Goſpel and power of true religion and Godlineſſ into thoſe parts, we ſhall eſteem it the beſt and moſt glorious part of any ſucceſs or acquiſition it ſhall pleaſe God to bleſs us with.' Commission of the Commissioners, Dec. 9, Narrative of Venables, 109."

Referring to the capture by the English of Jamaica and the inducements held out by Cromwell to New Englanders to migrate to Jamaica, the article on Oliver Cromwell in the *Encyclopædia Britannica*, Vol. 7, page 495, ſays:

"In spite of almost insuperable difficulties, the colony took root, trade began, the fleet lay in wait for the Spanish treasure ships, the settlements of the Spaniards were raided, and their repeated attempts to retake the island were successfully resisted. In 1658, Col. Edward Dooley, the Governor, gained a decisive victory over thirty companies of Spanish foot, and sent ten of their flags to Cromwell. The Protector, however, did not live to witness the final triumph of his undertaking, which gave to England, as he had wished, 'the mastery of those seas,' ensuring the English colonies against Spanish attacks, and being maintained and followed up at the Restoration."

The lengthy quotations I have used in replying to the question why, notwithstanding the Treaty of Peace of 1604-1605, Spain should desire to intercept English ships and hang their crews and passengers, or send them to the galleys and barbarously destroy actual English settlements and settlers in efforts to plant and maintain English settlements in the New World, may be more than necessary to remind us of the history and results of "Peace in Europe, War beyond the Line." But at the risk of being tiresome, I have not refrained from using as fully as I can the views of competent historians upon some of the most interesting and important incidents and conditions growing out of the discovery of America and connected with its early settlement under "Peace in Europe, War beyond the Line."

Now, as to a summary of the career of Sir George Yeardley:

"Of all the remarkable men who were prominently connected with the early government of Virginia in the reign of James I, none was more remarkable than Sir George Yeardley, who died, when Governor for the second time, in November, 1627. In his younger days, a Soldier by profession, he had, like his contemporaries in the Virginia government, Sir Thomas Gates and Sir Thomas Dale, fought with distinction in the Low Countries. In 1609 he accompanied as Commandant of his body guard Lieut. Genl Sir



Thomas Gates in the Ship *Sea Adventure*, one of the fleet under Sir George Somers, with settlers and magazine—i. e., supplies—for Virginia. Three of the ships were wrecked on the Bermudas in the Storm which gave Shakespeare the basis of his 'Tempest,' and for ten months the ship-wrecked crews and passengers were detained on the island. In that interval Lady Gates died. In June, 1610, the survivors having succeeded in constructing two seaworthy crafts, embarked and safely arrived in Virginia. Captain Yeardley remained then for some years in the Colony, till, having returned to England, he was in 1616 appointed successor to Sir Thomas Gates as Dep. Govr. In 1619 he was appointed Govr. in succession to Lord de la Warr, who had died on his voyage out from England. He was appointed for three years by the London Company then in the first year of its new Charter under Sir Edwin Sandis, Treasurer, and John Ferrar, Deputy, and he was knighted by the King. In 1621 he was superseded, at his own request, by Sir Francis Wyatt, but he remained in the Government as Member of the Council. In 1625, after King James had quashed the London Charter, Sir George was sent home in connection with a possible new charter. Before he arrived the King had died. In the following year King Charles appointed him Governor, and he returned to Virginia, where he died in Novr., 1627.

"His governorship saw the beginning of the Tobacco cultivation in Virginia, as well as the beginning of the form of Government, which has developed into the present Constitution of the United States of America. Arriving as Govr. on April 19th, 1619, on July 30th he convened the first Legislative Assembly of the Colony. He had various estates bestowed on him on the James River, one, the Flower dieu Hundred, having been sold by him in 1626 to Abraham Piersey (a photo. copy of a letter from whom to Sir Edward Sandys will follow), and is now owned by the Willcox family. Another, Wyanoke, is in possession of the Douthat family. He was buried in Jamestown on Novr. 13th, 1627, and the site of his grave is unknown. [It is believed that

the recently discovered tomb in the church, which formerly bore a brass of a knight in armor, is Yeardley's.]"\*

The first Legislative Assembly of representative government in America was, as has already been noted, convened by Sir George Yeardly during his Governorship in 1619. That action may be said to have been the crowning act of his political career. The graphic account of that Assembly and of its members given in the address delivered July, 1894, by Hon. William Wirt Henry justifies the following quotation from his address:

"The Spaniards and French who settled in America, brought with them the impress of imperialism, which had cursed the countries from whence they came. The English, on the contrary, who settled these United States, brought with them the free institutions of England which had grown up under the rights and privileges of the House of Commons, first firmly established in the reign of Edward I. This great monarch not only confirmed the great charter which had been wrung from the treacherous John at Runymede, but he converted into an established law a privilege of which the people had previously only a precarious enjoyment, namely, the sole and exclusive right of Parliament to levy taxes. The memorable words of this statute, which purports to be the language of the King, were: '*Nullum tallagium vel auxilium per nos, vel haeredes nostros in regno nostro, ponatur sine levetur, sine voluntate et assensu archie piscoporum, episcoporum, comitum, baronum, militum, burgensium, et aliorum liberorum hominum de regno nostro.*' 'A most important statute this,' says De Lolme, 'which, in conjunction with Magna Charta, forms the basis of the English Constitution. If from the latter, the English are to date the origin of their liberty, from the former they are to date the establishment of it; and as the Great Charter was the bulwark that protected the freedom of individuals, so was the statute in question the engine which protected the charter itself, and by the help of which the people were thenceforth to make legal conquests over

\* Farrar Papers, *Virginia Historical Magazine*, Vol. X, page 283.

the authority of the Crown. This powerful weapon of defense and offense was like the sword of the Archangel, of which we are told:

\* \* \* 'The sword  
Of Michael from the armory of God  
Was given him tempered so, that neither keen  
Nor solid might resist that edge.'

"With it the English people, after many a stubborn conflict with the Royal prerogative, had, in the beginning of the seventeenth century, so firmly established their political rights, that they were recognized as the freest people upon the earth. Not that their struggle was entirely ended, but so powerful had become the Commons, that usurping Kings found themselves engaged in an unequal conflict, in which a Charles lost his head, and a James his kingdom, and thenceforth the Kings of England were forced to govern according to the provisions of the Bill of Rights, under which the supremacy of Parliament was established.

"The English Colonists who first settled in America brought with them, by their charter, all the rights of Englishmen. But local self-government was not accorded to the Virginians at first. They suffered great hardships under what resembled a military government, until the year 1619, when the Colony was deemed sufficiently grown to warrant an Assembly. In that year Sir George Yeardley arrived with the Commission of Governor-General from the London Company, which had planted and governed the Colony. Among his instructions was one, also called a commission, that brought joy to the hearts of the Colonists. It was, as they described it, 'they might have a hande in the governinge of themselves, it was granted that a general assemblie should be helde yearly once, whereat were to be present the Gov'r and Counsell, with two Burgesses from each plantation freely to be elected by the inhabitants thereof; this Assembly to have power to make and ordaine whatsoever laws and orders should by them be thought good and profitable for our subsistence.'

"This commission, the real Magna Charter of Virginia, was issued the 28th of November, 1618. That night a flaming comet appeared in the Heavens, which was considered then an ill omen, but which might more properly have been taken as a heavenly recognition of the great boon which had been bestowed on America. The comet was visible till the 26th of December, and the prevailing superstition prevented the sailing of Governor Yeardley till it was safely departed. He, therefore, sailed with his commission and instructions, the 29th of January, 1619, more than a year before the sailing of the Pilgrims.

"In accordance with this Commission, in June Governor Yeardley sent his summons all over the country, as well to invite those of the Council of State that were absent, as for the election of two Burgesses from each of the plantations, to meet at Jamestown on the 30th of July, 1619 (O. S.). As this was the first Legislative Assembly which met in America and was the beginning of the free institutions which we now enjoy, I have thought it would be of interest to give some account of it, and of its proceedings."\*

Bancroft, in his *History of the United States*, Vol. 1, page 152, says:

"When, early in 1626, Wyatt retired, the reappointment of Sir George Yeardley was in itself a guarantee that, as 'the former interests of Virginia were to be kept inviolate,' so the representative government would be maintained; for it was Yeardley who had introduced the system. In his commission, in which William Clayborne, described as 'a person of quality and trust,' is named as secretary, the monarch expressed his desire to encourage and perfect the plantation; 'the same means that were formerly thought fit for the maintenance of the colony' were continued; and the power of the governor and council was limited, as it had before been done in the commission of Wyatt, by a reference to the usages of the last five years. In that period,

\* From the address delivered by Hon. William Wirt Henry before the Virginia Historical Society published in *Virginia Magazine of History*, July, 1894.

representative liberty had become the custom of Virginia. The words were interpreted as favoring the wishes of the colonists; and King Charles, intent only on increasing his revenue, confirmed the existence of a popular assembly. Virginia rose rapidly in public esteem; in 1627, a thousand emigrants arrived; and there was an increasing demand for the products of its soil.

"In November, 1627, the career of Yeardley was closed by death. Posterity retains a grateful recollection of the man who first convened a representative assembly in the western hemisphere; the colonists, in a letter to the privy council, gave a eulogy on his virtues."









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